

REMARKS

Rejection of Claims 1 and 10 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,434,337 (Misawa) in view of US 6,850,781 (Goto)

Applicant respectfully traverses the rejection of claims 1 and 10. Reconsideration is respectfully requested.

The Office Action on page 2 states “Misawa discloses a portable electronic device ... but does not disclose expressly that display indicates safety information pertaining to power source when the device is turned from OFF to ON.”

Applicant respectfully submits that the combination of Misawa and Goto does not provide a reasonable expectation of success. Specifically, col. 1, lines 10 – 15, “[a] portable, compact electronic apparatus generally us driven by a battery. When the battery voltage falls below a fixed voltage level, the electronic apparatus can no longer operate. Some of these electronic apparatus issue a warning message if the battery voltage falls so low that the apparatus can no longer work” of Misawa teach away from the limitation of “...wherein the portable electronic device presents safety information pertaining to the power source on the display when the portable electronic device is turned from OFF to ON”, as required by independent claim 1.

Moreover, Misawa in col. 5, lines 50 – 60 states that “... a warning is issued in response to a decline in voltage below the threshold-value voltage at which operation is possible in the camera mode at playback time.” Similarly, a warning is issued if the voltage falls below the threshold-value voltage during “...in the camera mode at the time of photography” and “in the DAP mode”. Additionally, Misawa on col. 2, lines 23 – 28 states that “... the warning unit would issue the warning in response to detection by the detection unit of the fact that the battery voltage has attained a voltage in the vicinity of the power supply voltage necessary for the length of time set by the user-time setting unit.” As such, it is clear from these citations that the warning messages are issued while the user is already running an application and there is not enough power supply voltage left for the user to carry out another application for a length of time already set by the user. Therefore, Misawa teaches away from Applicant’s electronic device that presents

safety information when the electronic device is turned from OFF to ON. Applicant's warning messages are not displayed while the user is running an application. Applicant's warning messages are displayed only when the electronic device is turned from OFF to ON.

Office Action on page 2 states that "... it would have been obvious to one of ordinary skill in the art at that time of invention was made to operate this compact electronic device only when it turns from OFF position to ON position in order to supply required power to the system, and issue a warning for safety mechanism, such as, when the battery voltage falls below a predetermined level." Applicant agrees with Examiner's assertion that an electronic device can be operated or a warning for safety mechanism can be issued only when the electronic device gets power and that happens when the device turns from OFF position to ON position. However, Misawa teaches that a warning message is displayed while a first application is already being used by the user, and that the warning message relates to a second application for which the user has already set up a length of time. Therefore, *it is not obvious* for a person with ordinary skill in the art to *modify Misawa alone or in combination with Goto* to provide Applicant's claimed limitation that, "the portable electronic device presents safety information pertaining to the power source on the display when the portable electronic device is turned from OFF to ON."

For the above reasons, Applicant submits that independent claim 1 is not obvious in view of the combination of Misawa and Goto, and therefore that the rejection of independent claim 1 under 35 USC 103(a) is improper and should be withdrawn. Applicant requests that independent claim 1 now be passed to allowance.

Dependent claim 10 depends from, and includes all the limitations of independent claim 1, which is shown to be allowable for the reasons given above. Therefore, Applicant respectfully submits that dependent claim 10 is in proper condition for allowance and request that claim 10 now be passed to allowance.

Rejection of Claims 3 - 9 under 35 U.S.C. § 103 (a) as being unpatentable over [US 6,434,337 (Misawa) and US 6,850,781 (Goto) in view of Kabe (US 6,397,089)

The Office Action on page 3 states that, “Kabe discloses that the device is capable of detecting ... power source that has been decoupled since the device is turned off (Col. 3, lines 65 – 67) or when the device is turned on (Col. 4, lines 5 – 8).” Applicant respectfully disagrees and traverses the rejection.

Kabe on col. 3, lines 60 – 67 states that, “... a power-on detection unit 14 detecting power-on of mobile telephone terminal device 12 in response to data adapter activate signal 42 applied from mobile telephone terminal device 12....” Also, “... portable terminal unit 10 has the function of being powered on in response to power-on signal 46 even when in a power-off status.” As such, Kabe describes that a power-on detection unit detects whether the mobile telephone is powered-on after receiving the data adapter activate signal. In contrast, Applicant’s claim require “...wherein the device is capable of detecting whether the power source has been decoupled since the device was turned off.” Hence, Kabe does not describes that the power-on detection unit “... is capable of detecting whether the power source has been decoupled since the device was turned off.”

Moreover, dependent claims 3 - 9 depend from, and include all the limitations of independent claim 1, which is shown to be allowable for the reasons given above. Therefore, Applicant respectfully submits that dependent claims 3 - 9 are in proper condition for allowance and request that claims 3 - 9 now be passed to allowance.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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